

**DOCUMENT 5: Letter from U.S. Environmental Protection Agency, Region IX,
December 20, 1999**

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UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105

RAS
12/21/99

Mr. Richard Scott
Document Manager
U.S. Department of Energy
L-293, P.O. Box 808
Livermore, CA 94550

DEC 20 1999

RE: Draft Supplemental Environmental Impact Statement
on the National Ignition Facility
at Lawrence Livermore National Laboratory
DOE/EIS-0236-S1

Dear Mr. Scott,

The U.S. Environmental Protection Agency (EPA) has reviewed the above referenced Environmental Impact Statement and would like to take the opportunity to provide comments. Comments are provided under the National Environmental Policy Act (NEPA), Section 309 of the Clean Air Act, and the Council on Environmental Quality's (CEQ) NEPA Implementing Regulations (40 CFR 1500-1508).

The Draft Supplemental Environmental Impact Statement (Draft SEIS) examines the potential environmental impacts that may result from alternative courses of action at the National Ignition Facility (NIF) construction site with respect to "any potential or confirmed contamination in the area by hazardous, toxic, and/or radioactive materials." This Draft SEIS was produced as the result of a joint stipulation and order signed October 27, 1997. The Draft SEIS considers several possible alternatives that include proceeding with construction and operation of the NIF as planned, ceasing construction and demolishing the structure, and completing construction but utilizing the facility for some other purpose.

The Draft SEIS is being rated *EC-2, Environmental Concerns - Insufficient Information*. Please refer to the enclosed Summary of Rating Definitions for more information about this rating. Specific comments are attached.

Thank you for your consideration of these comments. If you have any questions regarding our comments, please feel free to call me at (415) 744-1584. Please send a copy of the Final EIS to our office when it is available.

Sincerely,

for Leonidas P...
for Dave Farrel, Chief
Federal Activities Office

Specific Comments on the Department of Energy (DOE) NIF Draft Supplemental EIS to the SSM PEIS

1) Page 4-16 describes and compares the potential impacts on employment of construction workers and Lawrence Livermore National Laboratory (LLNL) employees under the different options for NIF. The Draft SEIS states "LLNL workforce and payroll would decline for both the re-use and demolition alternatives, because NIF workers would not be employed." This statement might exaggerate the socioeconomic impacts of ceasing NIF construction and/or utilizing the facility for another purpose. At best, the statement is not fully explained and clarified. If the construction were to proceed and the facility used for an alternate purpose, this new purpose would utilize some number of employees. The Draft SEIS does not consider this. It may even be the case that an alternate use would employ a greater number of people than completion and operation of the NIF would. To state that re-use would result in a decline in employment and payroll is not necessarily valid.

5-1

The demolition case is also not fully explained. Presumably, future NIF employees, or a large proportion of them, are currently employed at LLNL in other, perhaps related, programs. For example, the NOVA facility, now decommissioned, was the forerunner to the proposed NIF. NIF workers are not a wholly new set of employees but rather a mix of current employees transferred to the NIF facility and some number of new employees. The Draft SEIS does not thoroughly analyze whether demolition to a brownfield state would result in layoffs of current employees or whether those employees may remain employed at LLNL in some other capacity.

The Final EIS should fully describe and account for the potential socioeconomic impacts of the alternatives, negative and positive.

2) Page 4-16 describes the impacts associated with remodeling the NIF building for use as an alternate facility and compares it with immediate demolition. The demolition option would "...require the longest time and greatest effort." As a result, DOE concludes that "[m]ore workers would be injured during demolition of NIF than for the other alternatives."

This statement cannot be substantiated. There is no way DOE can predict the outcomes of different construction options with respect to actual worker injury rates. The Draft SEIS could make a statement about the relative probability of the occurrence of worker injuries across different options, but as stated in the Draft SEIS this sentence is completely without basis in fact. The Draft SEIS suffers from the inclusion of this statement as it seems to bias the document toward DOE's preferred option of completing construction and operating the NIF. Furthermore, the Draft SEIS does not make it clear whether undertaking demolition presently would incur greater risks than would the inevitable decommissioning and decontamination process that will take place at the termination of the NIF program. The decommissioning and decontamination phase is not taken into account. This phase could result in higher worker health risks given the presence of radiological hazards that would be present after several decades of fusion experiments.

5-2

The Final EIS should revise this statement to explain that worker injury rates are speculative, and to account for the fact that demolition would occur as part of all of the alternatives.

3) In several places in the text, it is stated that the cleanup level for soil contaminated with polychlorinated biphenyls (PCBs) at the East Traffic Circle (ETC) was agreed upon by the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) Remedial Project Managers (RPMs) to be 18 ppm, which is stated to be the EPA Region 9 Preliminary Remediation Goal (PRG) for Aroclor 1254. While it is true that the CERCLA RPMs agreed to use the PRG for industrial soil as the cleanup level, the selection of 18 ppm was based upon an incorrect reading of the Region 9 PRG Tables, as discussed in the RPM meeting on December 3, 1999. 18 ppm is the concentration associated with non-cancer effects. The cancer PRG is 1 ppm. All incorrect references in the document to the Region 9 PRGs should be corrected. (For example, see pages vi, 1-3, 2-2, 2-4, A-8, and Table 3.1, including footnote d.)

5-3

4) Before EPA can concur that the removal action at the East Traffic Circle was performed in a manner consistent with CERCLA, DOE must complete the associated Action Memorandum, which should document the appropriateness of the chosen action level. EPA would like to review a draft of the Action Memorandum, and it should be cited in the final NIF Draft SIEIS. EPA anticipates that the action level used (18 ppm) will be acceptable for the following reasons:

a. 18 ppm translates to a cancer risk of $2E-05$, so it is still within the CERCLA industrial exposure cancer risk range.

5-4

b. 18 ppm does not exceed the non-cancer concentration.

c. 18 ppm falls within the range of 10-25 ppm for remote industrial areas. The traffic circle can be considered "remote" because the danger of auto traffic keeps people out. The 10-25 ppm range for remote industrial areas is cited in EPA's Quick Reference Fact Sheet entitled "A Guide on Remedial Actions at Superfund Sites With PCB Contamination," Directive 9355.4-01 FS.

5) The document should state that analytical procedures used in both removal actions (at the NIF construction site and at the East Traffic Circle) were performed in accordance with the approved QAPP (Quality Assurance Project Plan) and DOE's standard operating procedures. The QAPP should be included in the list of references.

5-5

6) Page 1-6, last sentence: Soils removed from the ETC Area were excavated and disposed of under the CERCLA removal process, not the remediation process, which would have involved a Record of Decision. This comment also applies to page 4-9, second full paragraph.

5-6

7) Page 2-4, second paragraph, first sentence refers to DOE's evaluation of "new information." It is not clear what information is referred to.

5-7

8) Page 4-8, first full paragraph. Please add the word "significant" so that the text reads "it is concluded that the only *significant* sources of previously unknown or undiscovered buried ...waste...were the capacitor landfill... and ... the ETC Area." The same comment also applies to the next paragraph (Section 4.2.1), first sentence.

5-8

9) PRG for freon-11: Freon-11 is a brand name for trichlorofluoromethane. Its industrial PRG in soil is 2000 mg/kg. Please modify Table 3.1 accordingly.

5-9

Summary

EPA commented on the clean-up levels for PCBs and the relationships among various clean-up plans and requirements under CERCLA. The comments called for clarification in the Final EIS so that the levels and requirements that call for them are accurately cited. Also, changes were recommended to make the economic impacts more credible and accountable.

Concurrence from >>**Mailcode:****Initials:****Date:**

Paul Carroll

Dave Farrel

CND-2

PMK

12-16-99

SUMMARY OF RATING DEFINITIONS AND FOLLOW-UP ACTION

Environmental Impact of the Action

LO-Lack of Objections

The EPA review has not identified any potential environmental impacts requiring substantive changes to the proposal. The review may have disclosed opportunities for application of mitigation measures that could be accomplished with no more than minor changes to the proposal.

EC-Environmental Concerns

The EPA review has identified environmental impacts that should be avoided in order to fully protect the environment. Corrective measures may require changes to the preferred alternative or application of mitigation measures that can reduce the environmental impact. EPA would like to work with the lead agency to reduce these impacts.

EO-Environmental Objections

The EPA review has identified significant environmental impacts that must be avoided in order to provide adequate protection for the environment. Corrective measures may require substantial changes to the preferred alternative or consideration of some other project alternative (including the no action alternative or a new alternative). EPA intends to work with the lead agency to reduce these impacts.

EU-Environmentally Unsatisfactory

The EPA review has identified adverse environmental impacts that are of sufficient magnitude that they are unsatisfactory from the standpoint of environmental quality, public health or welfare. EPA intends to work with the lead agency to reduce these impacts. If the potential unsatisfactory impacts are not corrected at the final EIS stage, this proposal will be recommended for referral to the Council on Environmental Quality (CEQ).

Adequacy of the Impact Statement

Category 1-Adequate

EPA believes the draft EIS adequately sets forth the environmental impact(s) of the preferred alternative and those of the alternatives reasonably available to the project or action. No further analysis or data collection is necessary, but the reviewer may suggest the addition of clarifying language or information.

Category 2-Insufficient Information

The draft EIS does not contain sufficient information for EPA to fully assess environmental impacts that should be avoided in order to fully protect the environment, or the EPA reviewer has identified new reasonably available alternatives that are within the spectrum of alternatives analyzed in the draft EIS, which could reduce the environmental impacts of the action. The identified additional information, data, analyses, or discussion should be included in the final EIS.

Category 3-Inadequate

EPA does not believe that the draft EIS adequately assesses potentially significant environmental impacts of the action, or the EPA reviewer has identified new, reasonably available alternatives that are outside of the spectrum of alternatives analyzed in the draft EIS, which should be analyzed in order to reduce the potentially significant environmental impacts. EPA believes that the identified additional information, data, analyses, or discussions are of such a magnitude that they should have full public review at a draft stage. EPA does not believe that the draft EIS is adequate for the purposes of the NEPA and/or Section 309 review, and thus should be formally revised and made available for public comment in a supplemental or revised draft EIS. On the basis of the potential significant impacts involved, this proposal could be a candidate for referral to the CEQ.

*From: EPA Manual 1640, "Policy and Procedures for the Review of Federal Actions Impacting the Environment."

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**DOCUMENT 6: Letter from Winston H. Hickox, California Environmental Protection Agency,
December 31, 1999**

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Winston H. Hickox
Agency Secretary

California Environmental Protection Agency

Air Resources Board • Department of Pesticide Regulation • Department of Toxic Substances Control
Integrated Waste Management Board • Office of Environmental Health Hazard Assessment
State Water Resources Control Board • Regional Water Quality Control Boards



Gray Davis
Governor

December 31, 9999

Mr. Richard Scott
Document Manager
United States Department of Energy
P.O. Box 808, L293
Livermore, California 94550

Dear Mr. Scott:

I appreciate the opportunity you have provided for the State of California to comment on the National Ignition Facility, Draft Supplemental Environmental Impact Statement to the Stockpile Stewardship and Management Programmatic Environmental Impact Statement (SSM PEIS). As you may be aware, the Department of Toxic Substances Control has had staff coordinating with Lawrence Livermore National Laboratories' remedial project managers in the investigation of past contamination under the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA). The Department of Toxic Substances Control's primary contact is Mr. Mark Piros, Hazardous Substances Engineer, of the Northern California - Coastal Cleanup Operations Branch.

Mr. Piros sent comments under separate cover on December 6, 1999. For your convenience, I am enclosing a copy of his letter. I encourage you to work with Mr. Piros directly on these particular site contamination issues. Mr. Piros can be contacted directly, at (510) 540-3832. However, should any concerns arise that might be best resolved with the assistance of my agency staff, please do not hesitate to contact me, at (916) 445-3846.

6-1

Sincerely,

Winston H. Hickox

Winston H. Hickox
Agency Secretary

Enclosure

cc: See next page.

Mr. Richard Scott
December 31, 1999
Page 2

cc: Ms. Carol Borgstrom, Director
Office of NEPA Policy and Assistance
Department of Energy
Washington, DC 20585

Mr. Mark E. Piros, P.E.
Hazardous Substances Engineer
Northern California - Coastal Cleanup
Operations Branch
Department of Toxic Substance Control
700 Heinz Avenue, Suite 200
Berkeley, California 94710-2721

DOCUMENT 7: Electronic Mail from Kathy Barnes, December 20, 1999

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scott, richard

From: KATHY [christian@cbpu.com]
Sent: Monday, December 20, 1999 9:52 PM
To: Richard Scott
Subject: public comment

I would like to enter my public comment about the NIF (National Ignition Facility). I am against such a venture, because it is dangerous, and will not promote peace, but will cause tension and a return to the cold war. I am against anymore public money going to any nuclear ventures because they are detrimental to the environment, health, and welfare of the American people. We don't even have health care for many people. There is desperate poverty and homelessness in the US., as well as other problems. Many people can not afford the education they need to build a better country, and workers are forced to compete more and more with cheap third world labor, as well as all the small businesses that are being run out of business by it. There are more waste dumps and contaminations than can be cleaned up, and polluters are let off the hook over and over again, while the public--the taxpayers--are forced to bear the burden of not only being made to pay for toxic pollution, but suffering from it also.....we don't need more pollution. I am against the expansion of the nuclear industry in all its abhorrent, malevolent forms--including plutonium mobilization and the NIF. Do not promote it. Sincerely, Kathy Barnes R1 Sherwood, MI 49089

7-1

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DOCUMENT 8: Letter with Attachments from Terry Roberts, State of California Governor's Office of Planning and Research, State Clearinghouse (includes letters from Mark E. Piros, Department of Toxic Substances Control, and Jean C. R. Finney, Department of Transportation)

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Gray Davis
GOVERNOR

STATE OF CALIFORNIA
Governor's Office of Planning and Research
State Clearinghouse



Loretta Lynch
DIRECTOR

December 17, 1999

Richard A. Scott
U.S. Department of Energy
7000 East Ave
P.O. Box 808, L-293
Livermore, CA 94550

Subject: National Ignition Facility Draft Supplemental EIS to the SSM PEIS
SCH#: 99112010

Dear Richard A. Scott:

The State Clearinghouse submitted the above named Draft EIS to selected state agencies for review. On the enclosed Document Details Report please note that the Clearinghouse has listed the state agencies that reviewed your document. The review period closed on December 16, 1999, and the comments from the responding agency (ies) is (are) enclosed. If this comment package is not in order, please notify the State Clearinghouse immediately. Please refer to the project's eight-digit State Clearinghouse number in future correspondence so that we may respond promptly.

Please note that Section 21104(c) of the California Public Resources Code states that:

"A responsible or other public agency shall only make substantive comments regarding those activities involved in a project which are within an area of expertise of the agency or which are required to be carried out or approved by the agency. Those comments shall be supported by specific documentation."

These comments are forwarded for use in preparing your final environmental document. Should you need more information or clarification of the enclosed comments, we recommend that you contact the commenting agency directly.

This letter acknowledges that you have complied with the State Clearinghouse review requirements for draft environmental documents, pursuant to the California Environmental Quality Act. Please contact the State Clearinghouse at (916) 445-0613 if you have any questions regarding the environmental review process.

Sincerely,

A handwritten signature in black ink that reads "Terry Roberts".

Terry Roberts
Senior Planner, State Clearinghouse

Enclosures
cc: Resources Agency

**Document Details Report
State Clearinghouse Data Base**

SCH# 99112010
Project Title National Ignition Facility Draft Supplemental EIS to the SSM PEIS
Lead Agency Energy, U.S. Department of*

Type eis Draft EIS
Description National Ignition Facility Supplemental Environmental Impact Statement to evaluate the reasonably forceable significant adverse environmental impact of continuing to construct and of operating NF at LLNL with respect to contamination by hazardous, toxic or radioactive materials, in the area of construction.

Lead Agency Contact

Name Richard A. Scott
Agency U.S. Department of Energy
Phone 925-423-3022 **Fax**
email
Address 7000 East Ave
P.O. Box 808, L-293
City Livermore **State** CA **Zip** 94550

Project Location

County Alameda
City Livermore
Region
Cross Streets Vasco / East Ave.
Parcel No.
Township **Range** **Section** **Base**

Proximity to:

Highways 580
Airports Livermore
Railways
Waterways
Schools
Land Use Industrial

Project Issues Drainage/Absorption; Economics/Jobs; Toxic/Hazardous; Water Supply; Other Issues

Reviewing Agencies Resources Agency; Department of Fish and Game, Region 3; Office of Historic Preservation; California Highway Patrol; Caltrans, District 4; Department of Health Services; Regional Water Quality Control Board, Region 2; Department of Toxic Substances Control; California Energy Commission; Native American Heritage Commission; Public Utilities Commission; State Lands Commission

Date Received 11/02/1999 **Start of Review** 11/02/1999 **End of Review** 12/16/1999



Department of Toxic Substances Control

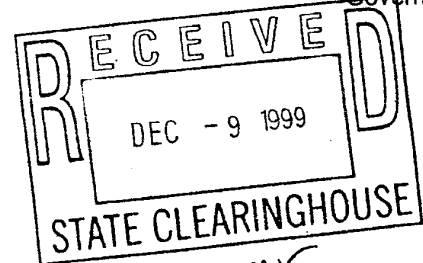
Edwin F. Lowry, Director
700 Heinz Avenue, Suite 200
Berkeley, California 94710-2721



Winston H. Hickox
Agency Secretary
California Environmental
Protection Agency

Gray Davis
Governor

December 6, 1999



Mr. Richard Scott
Document Manager
United States Department of Energy
P.O. Box 808, L-293
Livermore, California 94550

National Ignition Facility, Draft Supplemental Environmental Impact Statement to the
SSM PEIS, SCH# 99112010

Dear Mr. Scott:

The Department of Toxic Substances Control has reviewed the *National Ignition Facility, Draft Supplemental Environmental Impact Statement to the SSM PEIS, October 1999 (Supplemental EIS)* prepared by the United States Department of Energy. We have the following comments on this document:

1. Use of the Term "Brownfields" - In Section 2, ceasing construction of the National Ignition Facility is identified as one of two variations of the no action alternative. In Sections 2.3 and 4.3, demolition of the National Ignition Facility is identified as one of two ways of implementing this variation of the no action alternative. Along with demolition, it is stated the site would be returned to a brownfield condition (see page 2-4, last paragraph and page 4-15, first and last paragraphs). The U.S. Environmental Protection Agency (U.S. EPA) defines brownfields as "abandoned, idled, or under-used industrial and commercial facilities where expansion or redevelopment is complicated by real or perceived environmental contamination." The use of the term brownfields seems inappropriate in the context in which it is used and inconsistent with statements and conclusions in the Supplemental EIS. Specifically, stating that the site will be returned to a brownfields condition is inconsistent with: 1) the statement in Section 2.1 that, "The second [no action alternative] assumes that DOE would cancel the NIF [National Ignition Facility] project, ceasing construction and making the site usable for another purpose."; and 2) the conclusion in Section 4.2 that, "The Phase I and Phase II investigations...suggest that there is low likelihood that significant quantities of additional previously identified buried hazardous, toxic, or radioactive objects remain in the stipulated areas."

8-1

Mr. Richard Scott
December 6, 1999
Page 2

2. Preliminary Remediation Goals - Table 3.1, Figures 3.4, 3.6, 3.8, 3.10, 3.12, 3.14, 3.16, and the various other parts of the Supplemental EIS where U.S. EPA, Region 9, Preliminary Remediation Goals (PRGs) are cited, should be modified to reflect revised values in the 1999 update of the PRG table (these PRGs can be found at <http://www.epa.gov/region09/waste/sfund/prg/index.htm>).

Additionally, Table 3.1 and the figures noted above incorrectly indicate that there are not PRGs for Freon 11 (trichlorofluoromethane) or tritium. The current U.S. EPA, Region 9 PRGs for Freon 11 and tritium in industrial/commercial soil are 2,000 milligrams per kilogram and 45,000 picocuries per gram, respectively. Please note, the PRGs for tritium and other radionuclides cannot be found at the above website. If you require more information about the PRGs for radionuclides, we recommend that you contact Kathy Setian, the U.S. EPA Remedial Project Manager for the ongoing cleanup activities at the Lawrence Livermore National Laboratory (LLNL), Main Site. She can be contacted at (415) 744-2254.

8-2

3. Contaminants Addressed in Supplemental EIR and Table 3.1 - The bulleted list of contaminants after the second paragraph on page 3.6 should include polychlorinated biphenyls (PCBs). The last sentence on page 3.6 should state, "Table 3.1 gives maximum sampled soil sediment concentrations in each area for each of the six contaminants."

8-3

4. Maximum Contaminant Level for Freon 11 - Table 3.1 and Figures 3.4, 3.6, 3.8, 3.10, 3.12, 3.14, 3.16 incorrectly indicate that there is not a California Maximum Contaminant Level (MCL) for Freon 11. The California MCL for Freon 11 is 150 parts per billion. The above table and figures should be revised to include this MCL.

8-4

5. Page 3-9, First Complete Sentence - "parts per millions" should be "parts per million."

8-5

6. Explanation for Lack of Recent Data - An explanation should be included as to why Figures 3.7 and 3.15 indicate no 1997 and/or current groundwater data is available.

8-6

7. Disposal Site for Soil from East Traffic Circle Removal - The contaminated soil, discovered at the East Traffic Circle during drainage maintenance operations in 1998, was excavated and disposed at the Enviro-Safe, Inc. facility in Idaho, not the Clive, Utah incinerator as indicated in the last sentence of the second paragraph on page 4-2.

8-7

Mr. Richard Scott
December 6, 1999
Page 3

8. Release of Particulates - In the next to last paragraph of Section 4.4, it is stated that, "Locations at LLNL where past activities may have resulted in buried wastes or materials or contaminated soil or groundwater are undergoing active remediation...These remedial activities at LLNL may also release particulates (PM₁₀) that contain PCBs." This statement implies that PCB-contaminated particulates may be released as a result of ongoing ground water and soil vapor extraction and treatment operations. This statement is a misrepresentation and should be revised so that it is clear that reference is being made to the removal actions which occurred at the National Ignition Facility Construction Site and East Traffic Circle and not to ongoing cleanup operations.

8-8

Thank you for your consideration of our comments. If you have any questions or wish to further discuss any issue, please call me at (510) 540-3832.

Sincerely,

Mark E. Piros

Mark E. Piros, P.E.
Hazardous Substances Engineer
Northern California - Coastal Cleanup Operations Branch

cc: See next page

Mr. Richard Scott
December 6, 1999
Page 4

cc: Mr. Guenther Moskat
Department of Toxic Substances Control
Planning & Environmental Analysis Section
400 P Street, 4th Floor
Sacramento, California 95812-0806

State Clearinghouse
Governor's Office of Planning and Research
1400 Tenth Street
Sacramento, California 95814

Mr. Joseph Chou
California Regional Water Quality Control Board
San Francisco Bay Region
1515 Clay Street
Oakland, California 94612

Ms. Kathy Setian
U.S. Environmental Protection Agency, Region 9
Federal Facilities Cleanup Branch
75 Hawthorne Street, SFD-7-2
San Francisco, California 94105-3901

Mr. Hannibal Joma
United States Department of Energy
Environmental Restoration Division
Lawrence Livermore National Laboratory
P.O. Box 808, L-574
Livermore, California 94550

Mr. Robert Bainer
Lawrence Livermore National Laboratory
Environmental Restoration Division
7000 East Avenue
P.O. Box 808, L-544
Livermore, California 94550

Mr. Peter Strauss
PM Strauss & Associates
317 Rutledge Street
San Francisco, California 94110

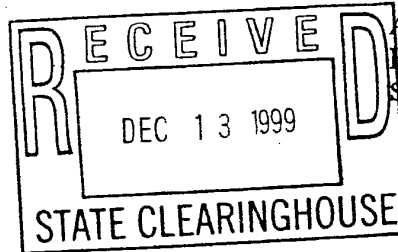
DEPARTMENT OF TRANSPORTATION

P O BOX 23660
OAKLAND, CA 94623-0660
Tel: (510) 286-4444
Fax: (510) 286-5513
TDD (510) 286-4454



December 1, 1999

Mr. Richard A. Scott
U.S. Department of Energy
Lawrence Livermore National Laboratory
7000 East Avenue
Box 808 L-293
Livermore, CA 94550



ALA-580-9.68
File #ALA580608
SCH #99112010

clear
12/16/99
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Dear Mr. Scott:

National Ignition Facility, Draft Supplemental EIS to the SSM PEIS

Thank you for including the California Department of Transportation (Caltrans) in the environmental review process for the above-referenced project. We have reviewed the Draft Supplemental Environmental Impact Statement and are satisfied that the project will not have a significant impact to State highway facilities.

8-9

Should you require further information or have any questions regarding this letter, please call Paul Svedersky of my staff at (510) 622-1639.

Sincerely,

HARRY Y. YAHATA
District Director

By

Jean C R Finney

JEAN C. R. FINNEY
District Branch Chief
IGR/CEQA

c: State Clearinghouse

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**DOCUMENT 9: Letter from JoAn Saltzen, Sacramento/Yolo Peace Action,
December 16, 1999**

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Sacramento/Yolo Peace Action

formerly Sane Freeze 916-448-7157
909 12th Street, #118 Sacramento, CA 95814

Dec. 16, 1999

DOE Oakland Operations Office
Attn: Richard Scott c/o LLNL
P.O. Box 808
Livermore, CA 94550

RE: Written Public Comment on the Supplemental Programmatic Environmental Impact Statement

We are opposed to the continued construction of the National Ignition Facility because the Lawrence Livermore National Laboratory site is contaminated with hazardous, toxic and radioactive materials. Any construction on the site will increase the dispersal of contamination dangerous to the environment and to the health of all living organisms. The actual operation of the National Ignition Facility will produce more contamination especially from the highly dangerous effects of tritium. The San Francisco Bay Area in which the National Ignition Facility is being built has several million people who are put at further risk by the deleterious effects of hazardous, toxic and radioactive materials carried in soil, water and air.

9-1

We are opposed to the National Ignition Facility because it continues the development of nuclear weapons, aiming to produce a pure fusion weapon which will increase the danger to everyone on the earth. We have lived under the threat of annihilation by atomic bombs, nuclear weapons and missiles. We are now being threatened with a more deadly killing creation, fusion bombs and weapons whose technology will be developed by means of the National Ignition Facility.

9-2

We are opposed to the continuation of the National Ignition Facility as it is a boondoggle of the highest order. The conception, design and construction are flawed and scarce tax dollars are squandered in the illusion of building a new scientific wonder. Scientists, engineers and technician are employed, corporations are awarded contracts, weaponeers are given new experiments by which to advance their knowledge of weapons of mass destruction.

9-3

We demand that nuclear weapon development stop and that construction of the National Ignition Facility cease.

JoAn Saltzen, for

JoAn Saltzen, Secretary
Sacramento-Yolo Peace Action

Working for Peace – and a nuclear free world
Peace Action is the largest grassroots peace organization in the U.S.

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**DOCUMENT 10: Electronic Mail from JoAn Saltzen, Sacramento/Yolo Peace Action,
December 16, 1999 [duplicate of Document 9]**

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NIF PEIS

scott, richard

From: Staff [sypeaceact@jps.net]
Sent: Thursday, December 16, 1999 2:01 PM
To: richard.scott@oak.doe.gov
Cc: president@whitehouse.gov
Subject: NIF PEIS

Dec. 16, 1999

DOE Oakland Operations Office
Attn: Richard Scott c/o LLNL
P.O. Box 808
Livermore, CA 94550

RE: Written Public Comment on the Supplemental Programmatic Environmental Impact Statement

10-1

We are opposed to the continued construction of the National Ignition Facility because the Lawrence Livermore National Laboratory site is contaminated with hazardous, toxic and radioactive materials. Any construction on the site will increase the dispersal of contamination dangerous to the environment and to the health of all living organisms. The actual operation of the National Ignition Facility will produce more contamination especially from the highly dangerous effects of tritium. The San Francisco Bay Area in which the National Ignition Facility is being built has several million people who are put at further risk by the deleterious effects of hazardous, toxic and radioactive materials carried in soil, water and air.

We are opposed to the National Ignition Facility because it continues the development of nuclear weapons, aiming to produce a pure fusion weapon which will increase the danger to everyone on the earth. We have lived under the threat of annihilation by atomic bombs, nuclear weapons and missiles. We are now being threatened with a more deadly killing creation, fusion bombs and weapons whose technology will be developed by means of the National Ignition Facility.

We are opposed to the continuation of the National Ignition Facility as it is a boondoggle of the highest order. The conception, design and construction are flawed and scarce tax dollars are squandered in the illusion of building a new scientific wonder. Scientists, engineers and technician are employed, corporations are awarded contracts, weaponeers are given new experiments by which to advance their knowledge of weapons of mass destruction.

We demand that nuclear weapon development stop and that construction of the National Ignition Facility cease.

12/17/99

NIF PEIS

JoAn Saltzen, Secretary
Sacramento-Yolo Peace Action

DOCUMENT 11: Letter from Ann Seitz, December 16, 1999

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Ann Seitz
 22103 Main Street
 Hayward, CA 94541
 Tel: 510-538-5285
 December 16, 1999

Mr. Richard Scott
 Document Manager
 Department of Energy
 L-293, P.O. Box 808
 Livermore, CA 94550

RE: Public Comment Period: National Ignition Facility

Dear Mr. Scott:

How can any statement from Livermore Lab be trusted when so many scientists working on their projects are so intellectually dishonest and twisted they can convince themselves of their lies and delusions, then lie to the U.S. government, let alone the taxpayers who feed the government? They need to be watched like children who get into trouble. Otherwise, why would countless responsible, successful, citizens interrupt their lives and careers to become activists? I wonder why private citizens must even put up this fight and argument?

11-1

The Lawrence Livermore Lab's attempts to sell this \$1.2 billion dollar NIF project with its insufficient economic and environmental consequences are disgusting attempts for boys to have bigger toys. They claim NIF is not primarily a weapons project. Holy cash cow! According to the Lawrence Livermore Institutional Plan 1994-1999, "Other ICF facilities will have to be used until NIF is operational, but their capabilities will be largely exhausted by the end of the decade in terms of making new scientific headway on the important problems facing the weapon-design and weapon-effects programs." Moreover, Dr. Vic Reis, former DOE Assistant Secretary for Defense Programs and a strong advocate of NIF, described it this way to Congress: "The whole idea of lasers is for understanding the physics of (nuclear weapons) secondaries, but also more particularly, for maintaining the cadre of scientists who both understand the fusion process and all the things that go along with that...." Furthermore, according to *Nature*, an international weekly journal of science article 9-16-99 "The NIF's real function, in fact, is to serve as a sandbox for U.S. weapons scientists until nuclear weapons development and testing can resume".

11-2

DOE and the lab claim NIF cannot hurt U.S. non-proliferation objectives. But, how can it possibly look to signers of the Non-Proliferation Treaty for the U.S. to be making a multi-billion dollar investment in a nuclear weapons design facility and this after the end of the Cold War? Really, how would it look if a proposed multi-billion dollar weapons design facility appeared in North Korea or Iraq? Oh, but they say it's for simple lab tests! The purpose of NIF is to maintain U.S. nuclear weapons design capability, which runs in counter purpose to any test ban. Besides, how can aging weapons possibly need more than a replaced wire that has rusted or a little Brasso? That's overly simple, but everyone can see that maintenance is not really exciting, sexy science to someone who has invested in a Ph.D.

11-3

The lab sends out its "spin dogs" who claim NIF is exactly what NIF isn't! What NIF can do, is denied! Millions of taxpayer dollars have been spent for this fundamental lie. NIF is synonymous with desperate hope attempting a compelling reason for it to exist. How many more billions of tax dollars to find something really cool? Now that there is a focus on NIF's shortcomings even more money may be requested for the project. I see in the Independent, Dec. 8 that radioactive AVLIS equipment was on auction held at the old Livermore K-Mart building. Will these few bucks also be eaten by NIF? Someday, will it also be a private citizen who discovers that AVLIS equipment, that could be used for proliferation, was sold to further embarrass and threaten this nation?

11-4

I wonder if the real bosses and string-pullers of the cold evil death cabal have conscience enough to know what they are doing? I wonder if their work makes them feel strong. I know American strength through

Page 2

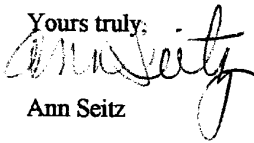
their work is certainly the nationalism line I'm expected to buy. I'm ashamed that supposed adult men can't get over their "bad little self" enough to attempt peace. As Americans we are all responsible for the actions of this government and those that function in its name. To the Lab, the project NIF and the DOE I say, you are on the wrong path, don't stay there in my name.

11-5

Beyond the endless pro and con argument regarding NIF is the lack of morality of this odious project. To work for anything other than peace in our time on the only planet we have, in my opinion, is a sin against the soul that all people owe God. That soul is decidedly different than the personality we develop through training, fear and selfishness. No doubt, many working on the project claim to be Christians, of course we all know claiming to be and being are quite different, aren't they Mr. Scott?

11-6

Yours truly,



Ann Seitz

DOCUMENT 12: Letter from Dennis Thomas et al., December 15, 1999

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100% recycled post-consumer paper

Dec 15, 1999

Richard Scott
Document Manager, DOE
L-293
PO Box 808
Livermore, CA 94550

Re: NIF environmental report

Dear DOE,

Please recommend that an impartial and independent environmental impact statement be made.

The 'in-house' report prepared by the DOE:

12-1

-is a conflict of interest. It is not credible that the DOE which is building the NIF can write an objective report criticizing the NIF;

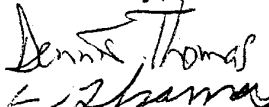
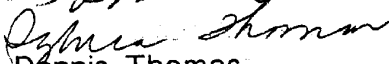
-does not adequately address the potential radiation hazards posed by the National Ignition Facility;

12-2

-develops conclusions of certainty (i.e. - no harmful radiation leaks) when several if not all DOE radiation facilities have had damaging leaks of radioactivity.

I would like the confidence and credibility of an independent report.

Sincerely,



Dennis Thomas

147 St. Germain Lane
Pleasant Hill, CA. 94523

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**DOCUMENT 13: Letter from Patricia Sanderson Port, Regional Environmental Office,
U.S. Department of the Interior, San Francisco, California, December 10, 1999**

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United States Department of the Interior

OFFICE OF THE SECRETARY
Office of Environmental Policy and Compliance
600 Harrison Street, Suite 515
San Francisco, California 94107-1376



December 10, 1999

ER 99/957

Mr. Richard Scott, Document Manager
U.S. Department of Energy, L-293
7000 East Avenue, P.O. Box 808
Livermore, CA 94550

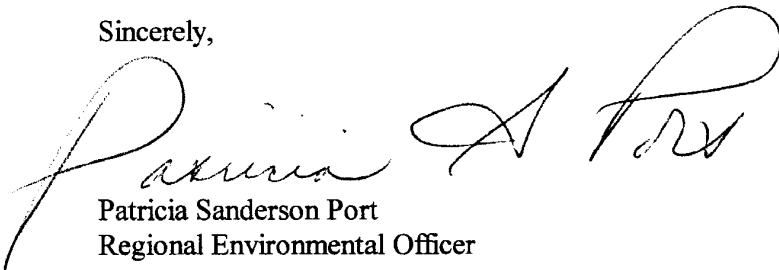
Dear Mr. Scott:

The Department of the Interior has reviewed the Draft Supplemental Environmental Impact Statement (EIS) for the National Ignition Facility (NIF) Project Specific Analysis Portion of the Stockpile Stewardship and Management Programmatic Environmental Impact Statement (SSMPEIS), at Lawrence Livermore National Laboratory (LLNL), Livermore, California, and has no comments to offer.

13-1

Thank you for the opportunity to review this document.

Sincerely,



Patricia Sanderson Port
Regional Environmental Officer

cc:

Director, OEPC, w/original incoming
Regional Director, FWS, Portland

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DOCUMENT 14: Written Testimony of Marylia Kelly, Tri-Valley CAREs, December 8, 1999

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Received by
RAS
12/8/99

**U.S. Department of Energy (DOE) Public Hearing
on the National Ignition Facility (NIF)
Supplemental Programmatic Environmental Impact Statement
December 8, 1999**

Testimony of Marylia Kelley, Tri-Valley CAREs

1. As currently written, the "scope" of the draft Supplemental Programmatic Environmental Impact Statement is absurdly limited.

Currently, the draft Supplemental PEIS is limited to a mostly "backwards-looking" analysis of how the Department in 1997 cleaned up the 112 PCB-laden capacitors found in an undocumented waste dump during the initial phase of NIF construction, with some mention of the court-ordered investigations that followed -- and the discovery of additional PCB-contaminated soils in the "special study area" in December 1998, which were later removed.

The National Environmental Policy Act intends environmental analyses to be "forward-looking" and to assist an agency, and the public, engage in good decision-making. In order to do so, this draft document should be expanded to incorporate new information and new proposals regarding the National Ignition Facility construction and operation, including a full analysis at NIF's cost overrun and underlying technical problems.

14-1

2. Some of the new operational procedures under consideration for the National Ignition Facility may have new, here-to-fore unanalyzed environmental consequences.

For example, the technical problem of "damage propagation" at the NIF's final optics package (where the beam is converted to ultraviolet, referred to as the "third harmonic") may cause lenses to shatter more often than had been anticipated -- and, therefore, engender a vastly scaled up "change out" schedule. Are there potential radiological risks that may result from employees having to change out the final optics more frequently? The debris shield (which is part of the final optics package) is intended to protect the lens from fragments resulting from the experiments in the target chamber, but what about neutron flux? Would neutron activation products be present? Are there other, chemical risks that will or may be increased due to more frequent change outs? Will NIF's waste stream be impacted?

14-2

3. There are proposals before the Department that, in essence, make NIF a very different, and therefore new, project, unlike the NIF analyzed in the 1996 PEIS.

There is a proposal currently before DOE to build a "half NIF" consisting of 96 beams. This proposal comes with a sub-part containing changes in the order in which the laser beams are to be brought on line. The order in which laser beamlines become operational (and whether there will be 192 or 96) affects NIF's experimental capabilities. Further, these new proposals may alter the timeframe in which different categories of experiments are likely to be done. These things, in turn, could

14-3

mean a change in the environmental impact of NIF. The Supplemental PEIS should analyze, for example, whether experiments using plutonium or highly enriched uranium are made more likely by the change in the beamlines' number and/or operational order. Further, the document should explore whether experiments that could use plutonium or highly enriched uranium are likely to occur earlier or later in NIF's operational life as a result of these changes? These same questions should be answered with regard to nuclear weapons effects tests as well. Are they likely to occur earlier or later in NIF's design lifetime? Might there be related differences in the amounts of other toxic material to be used -- such as lithium hydride?

14-3
(cont.)

4. The draft Supplemental PEIS relies on a "purpose and need" statement made in the 1996 PEIS, which is inadequate in light of new information and potential changes in NIF.

Regarding "purpose and need" for NIF, chapter 1 page 3 of the draft Supplemental PEIS contains the statement that "NIF will provide a unique capability as a key component of DOE's science-based stewardship of the nation's nuclear weapons stockpile." NIF's operational capabilities are very much called into question by the serious, unresolved technical problems with laser glass and other optics, target fabrication and diagnostics. At a minimum, this should trigger a reassessment of NIF's "purpose and need." We note, as well, that the U.S. Environmental Protection Agency requested that the draft Supplemental PEIS contain a "clear statement of "purpose and need" (chapter 1 page 7). The DOE declined to do so. This deficiency must be remedied in the final.

14-4

5. DOE's preferred choice, called the "No Action as an Ongoing Activity" in chapter 2 of the Supplemental PEIS is so narrowly construed that it becomes useless as a decision-making tool.

Chapter 2 page 1 states that "Under this interpretation of the no action alternative, DOE would make no changes in the design of NIF, would undertake no deviations in construction techniques, and would impose no operational changes in response to the information regarding site contamination obtained during the [toxic dump] characterization studies..." This is a surreal inversion of the reality surrounding the NIF. In fact, there ARE proposals that would significantly alter all three of the above-quoted parameters (NIF design, construction techniques, operational changes). DOE hinges its preferred action on a mere assertion that these major changes are not necessarily linked to the discovery of PCB-laden soils in the NIF construction area. So what? Should DOE simply ignore the larger reality and proceed? If DOE chooses this course, it will waste taxpayer money and run contrary to the spirit and letter of the National Environmental Policy Act. A second, "hard look" at NIF is the action that is warranted at this juncture in time.

14-5

Further, the DOE must seriously consider a true "no action alternative": to halt the construction of the National Ignition Facility. the draft Supplemental PEIS dodges giving this option the consideration it deserves.

14-6

DOCUMENT 15: Comment Form from Janis K. Turner, December 8, 1999

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December 8, 1999

Livermore, CA

Received RAS
12/8/99**COMMENT FORM****PUBLIC MEETING FOR THE NATIONAL IGNITION FACILITY
SUPPLEMENTAL ENVIRONMENTAL IMPACT STATEMENT**

PLEASE PRINT

First Name: Janis MI: K Last Name: Turner

IF REPRESENTING AN ORGANIZATION

Title: _____ Organization: _____

HOME OR ORGANIZATION ADDRESS.....

Address: 749 Hazel St
City: Livermore State: Ca Zip: 94550
Phone Number: (925) 443-4372Do you wish to be placed on the LLNL mailing list for further information? YES **If you are submitting a comment, please complete the name and address sections and return this form to the registration table.****COMMENT:**

My concern is about the Tritium control plan for residue which will result from ignition inside the chamber. What will be done with ① radioactive residue on chamber walls, ② residue on air filters, ③ tritium residue in lubricants in filter system, ④ tritium contamination on cameras which must be removed periodically from chamber for maintenance?

Use the Back of this sheet for longer comments.

Thank you

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DOCUMENT 16: Letter from Cathie Brown, Mayor, City of Livermore, December 6, 1999

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CITY OF LIVERMORE



*'Wine
Country
Since
1849'*

December 6, 1999

Administration Building
1052 S. Livermore Avenue
Livermore, CA 94550-4899
(925) 373-5100
Fax (925) 373-5135
TDD (925) 373-5052

Mayor / Council
(925) 373-5149

City Manager
(925) 373-5140

City Attorney
(925) 373-5120
Fax (925) 373-5125

City Clerk
(925) 373-5130

Community Development

Building Division
(925) 373-5180
Fax (925) 373-5183

Engineering Division
(925) 373-5240
Fax (925) 373-5267

Planning Division
(925) 373-5200
Fax (925) 373-5135

Economic Development
(925) 373-5095

Finance Department
(925) 373-5150

Fire Department
4550 East Avenue
(925) 454-2361
Fax (925) 454-2367

Library
1000 S. Livermore Avenue
(925) 373-5500

Personnel
(925) 373-5110
Fax (925) 373-5035

Police Department
1110 S. Livermore Avenue
(925) 371-4900
Fax (925) 371-4950

Public Services
(925) 373-5270
Fax (925) 373-5317

Mr. Richard Scott
United States Department of Energy
L-293, P.O. Box 808
Livermore, CA 94551

Dear Mr. Scott,

On behalf of the City of Livermore I would like to reaffirm the City's support of the construction and operation of the National Ignition Facility at the Lawrence Livermore National Laboratory.

Today's public hearing is about the draft Supplemental Environmental Impact Statement of SEIS. This SEIS was necessitated because of the fact that during excavation for NIF in 1997, the construction contractor unexpectedly uncovered electrical equipment containing PCB oil, a hazardous material.

It was disturbing that an undocumented hazardous material dump was uncovered; however, I was impressed with the speed and professionalism of LLNL in handling the situation. Representatives from LLNL notified me immediately and continued to keep me fully informed of the circumstances. I was assured that at no time were the citizens of Livermore in any danger from this event.

This type of response, when unexpected events occur, gives me confidence that LLNL is a good neighbor. I continue to support the NIF and urge you to accept the SEIS and proceed with the project.

Sincerely,

Cathie Brown
Mayor

16-1

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